

Motion DENIED.

This the **9th** day of **August**, 20 **17**.

/s/Louise W. Flanagan, U.S. District Judge

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CA No. 5:17-cv-00098-FL

BRANDON KELLY, on behalf of himself and)
all others similarly situated,)

Plaintiff,)

v.)

June 6, 2017

HOSPITALITY VENTURES LLC, d/b/a)
UMSTEAD HOTEL AND SPA, NC)
CULINARY VENTURES LLC, d/b/a AN)
ASIAN CUISINE, SAS INSTITUTE INC., and)
ANN GOODNIGHT,)

Defendants.

**MOTION FOR DISQUALIFICATION OF DEFENDANTS' COUNSEL FOR
VIOLATIONS OF THE NORTH CAROLINA RULES OF PROFESSIONAL CONDUCT**

Plaintiff Brandon Kelly ("Plaintiff") hereby respectfully requests that the Court disqualify counsel for the Defendants, Stokes Wagner, ALC and Poyner Spruill LLP ("Defendants' Counsel"), for numerous violations of the North Carolina Rules of Professional Conduct, which adversely affect their ability to continue litigating this matter in an equitable and ethical manner. Based on the facts and legal authority discussed in the accompanying Memorandum of Law in Support of Plaintiff's Motion for Disqualification of Defendants' Counsel for Violations of the North Carolina Rules of Professional Conduct, Defendants' Counsel should be disqualified from this matter.

Respectfully submitted this June 6, 2017.